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we consider the hundreds of thousands of dollars spent on litigation in the United States annually to determine the meaning of constitutional provisions, this in itself, whatever the nature of the substantive provisions of Pennsylvania's new constitution, will be a great gain.

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The Louisiana Constitutional Convention. In 1913 a constitution was adopted for the state of Louisiana, which, although superseding the constitution of 1898, nevertheless declared the provisions of that constitution to be in effect unless specifically repealed by or inconsistent with the new instrument.¹ When the supreme court of Louisiana nullified many of the provisions of the constitution of 1913, on the ground that the convention had exceeded its limited powers, there were thus, in effect, two constitutions for the state of Louisiana. Certain provisions of the constitution of 1913 remained valid, while in other matters the constitution of 1898 was restored as the fundamental law.

The confusion and uncertainty thus caused led to immediate agitation for a new constitution, and the legislature of 1915 passed an act calling a convention, which call was, however, rejected on submission to the people. Succeeding legislatures thereupon sought to cure the defects in the fundamental law through amendments, and a total of 31 were submitted and ratified. These seemed merely to add to the confusion, however, the defects being especially serious in the judicial system—some of the courts were behind their docket, some unable to function properly, and some practically idle.

The demand for a new constitution was therefore continued, being pressed especially by the Bar Association and by business and commercial organizations. Governor Parker and his opponent for the nomination in 1919 both made the calling of an unlimited convention one of their principal platform demands, and a call for such a convention, submitted by the legislature of 1920, was approved by a large majority at the polls.

The convention thus called assembled at Baton Rouge March 1, 1921, and adjourned June 18, having been in session 110 days. It was composed of 146 delegates, among them three women. Altho not distinguished by any dominant leadership and not producing any outstanding figure, it would probably average high in personnel, including among its members, for example, two former governors—

¹ Constitution of Louisiana, 1913, Art. 326, Cl. 6, in Kettleborough, *State Constitutions*, 587.

R. G. Pleasant and J. Y. Sanders. No special work of any kind seems to have been done to prepare the members for their work, such as has been done in other states holding recent conventions, and the new Louisiana constitution, altho a creditable instrument, probably reflects that neglect in some degree.

Only three limitations were imposed by the legislature upon the convention of 1921: (1) prohibiting any interference with the debt of the state or any of its subdivisions; (2) prohibiting the shortening of the term of any public officer; (3) prohibiting the removal of the state capital. Acting on the theory that it was a sovereign body with practically unlimited powers, the convention itself, by ordinance, extended the time limit of 75 days imposed by the legislature, and, to meet expenses, ordered a loan of \$100,000, in addition to the legislative appropriation of \$200,000. It also made the new constitution effective July 1, 1921, without submission to the people (this being expressly authorized, however, in the act calling the convention), and called a special 75-day session of the legislature, to meet on the first Tuesday in September.

The constitution thus framed and adopted is very similar to the constitution of 1913. They are almost identical in length, each making up a pamphlet of 127 pages. Both subject matter and language are also practically identical in most respects, the new constitution being, however, somewhat more systematically arranged. The new instrument is also clearly as much subject to criticism as the old in being largely statutory in character rather than basic and fundamental—so much so that during the course of the convention 24 delegates united in a resolution of protest against the making of “a long and cumbersome constitution containing matter legislative in character.”

The outstanding features of the new constitution seem to be the reorganization of the judiciary, the provisions for education, the creation of a good roads system, and the revision of the suffrage. The judicial system is thoroughly reorganized; the supreme court is enlarged and permitted to sit in divisions, and given supervisory powers over inferior courts; the terms and salaries are increased throughout the entire system, there is a complete judicial reapportionment, and provision is made for the massing of judges when the burden of work becomes too great for any one of the higher courts; a department of justice is also created, consisting of the attorney-general and two assistants, with supervision and a considerable measure of control over the district attorneys and their work (VII).

With regard to education, unusually liberal provision is made, especially for the university and agricultural college, the entire system (except the university) is centralized under the control of the state board of education, and the state superintendent is made elective by that board (XII).

To provide for the construction and maintenance of hard surface roads, a large highway fund is created by providing for a heavy license tax on motor vehicles (and on other vehicles at the discretion of the legislature) and a tax of two cents per gallon on gasoline (and on other explosives for the generation of motive power, at the discretion of the legislature), all of which is to be expended under the supervision of the board of state engineers (VI, 19).

With regard to the suffrage, the principal feature, in addition to the removal of the sex qualification, is the addition of the "reasonable interpretation" and "understanding" provision of the Mississippi constitution, as well as a "good character" clause (VIII, 1). There is also a stringent anti-bribery clause (VIII, 23), and the legislature is authorized to provide for absentee voting (VIII, 22).

Other features of the new constitution are also of considerable importance. With regard to the legislature, the maximum number of members is reduced, in the house from 120 to 101, in the senate from 41 to 39 (III, 2, 3); the length of the legislative session (60 days) is unchanged, but no bills may be introduced after the first 30 days, except in case of emergency (III, 8); a method is provided by which special sessions may be called, even tho the governor fails to act (V, 14); and the pocket veto is abolished (V, 16). There is also a provision against logrolling (III, 30); and a legislative bureau is created, consisting of the attorney-general and one member from each house, to examine and report "as to construction, duplication, legality, and constitutionality" of all legislative measures, before final passage. (III, 31).

The executive department is constituted as before, except for a few changes in title and functions of some administrative boards, and with the number of independent, constitutional offices actually increased. However, the movement towards reorganization and centralization, begun in other states, has apparently also made some headway in Louisiana, for all the executive and administrative offices (except the governor, lieutenant-governor, treasurer, and secretary of state) are made subject to merger or consolidation by the legislature (III, 32; V, 1).

Other provisions of some importance may be noted: Salaries of public officers are generally increased, and altho fixed in most cases by the constitution, may be changed by a two-thirds vote of the legislature (III, 34); an income tax is provided for (X, 1); the recall may be authorized by the legislature (IX, 9); the legislature is required to provide optional plans for the organization of parish (county) government (XIV, 3); the power of the courts to punish for contempt of court is limited (XIX, 17); alien ownership of land is prohibited (XIX, 21); voluntary arbitration (III, 36), a minimum wage for women and children (IV, 7), and a system of mothers' pensions (XVIII, 5) are authorized. No provision is made for future revision by a convention, and the method of amendment provided is similar to that in the former instrument, except that amendments (just as bills) must be introduced within the first 30 days of the session (XXI, 1). The new constitution is definitely declared to supersede the constitutions of 1898 and 1913, except where otherwise specifically provided (XXII, 1, cl. 7).

It is difficult to make any estimate at this time of the Louisiana convention of 1921, or of the instrument framed by it. Certainly the defects in the new constitution are many, not the least of which is the fact that it is to a considerable extent statutory rather than organic in its character. Neither does it fulfill the expectations of those who had hoped for a progressive and forward-looking instrument. Ex-Governor Pleasant, for example, refused to sign the new constitution because he claimed it had been in part dictated by special interests.² At least one other delegate likewise refused to sign. On the other hand, Governor Parker, whom progressives have delighted to honor, warmly endorsed the work of the convention as "generally patriotic and thorough, as well as efficient," and characterized the constitution as not perfect, but one that would confer material benefits on the people.³ The public opinion of Louisiana seems, in general to reflect this view.

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The New Civil Administrative Code of Washington. In 1917 the legislature of Illinois, upon the recommendation of Governor Lowden, enacted a civil administrative code, which has attracted nation-wide attention. Such has been the success of this code that a number of states have enacted similar codes. Among these states is Washington.

² Statement in *New Orleans Times-Picayune*, June 19, 1921.

³ *Ibid.*